

UNITED STATES DISTRICT COURT
 for the
Eastern District of Michigan

United States of America

v.

Darel King,

Case: 4:23-mj-30117

Assigned To : Ivy, Curtis, Jr

Assign. Date : 3/23/2023

Description: IN RE SEALED MATTER (kcm)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 10, 2019 in the county of Genesee in the
Eastern District of Michigan, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. § 1951

Knowingly and unlawfully affected commerce by robbery

18 U.S.C. § 924(j)

Knowingly used a firearm during and in relation to a crime of violence and used a
 firearm to commit murder

This criminal complaint is based on these facts:

I have probable cause to believe that on July 10, 2019, in the Eastern District of Michigan, Darel King, knowingly and unlawfully affected commerce by robbery in violation of 18 U.S.C. § 1951. There is also probable cause that on July 10, 2019, in the Eastern District of Michigan, Darel King knowingly used a firearm during and in relation to a crime of violence that may be prosecuted in a court of the United States, and King using the firearm to commit murder, all in violation of 18 U.S.C. § 924(j).

Continued on the attached sheet.



Complainant's signature

Dustin Hurt, Special Agent, ATF

Printed name and title



Judge's signature

Curtis Ivy, Jr., United States Magistrate Judge

Printed name and title

Sworn to before me and signed in my presence
 and/or by reliable electronic means.

Date: March 23, 2023

City and state: Flint, MI

AFFIDAVIT

1. I have been employed as a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) since October of 2018. I am currently assigned to the Detroit Field Division, Flint Field Office. Before working for the ATF, I was employed by the Michigan Department of State Police (MSP) for approximately seven years. Before working for MSP, I was a local police officer for the Grand Ledge Police Department for approximately three years. I held numerous positions with the MSP, including Detective Sergeant in the Polygraph Unit and Task Force Officer with the FBI. During my employment with ATF and MSP, I have conducted or participated in numerous criminal investigations focused on firearms, armed drug trafficking, and criminal street gangs, and other violations of federal law.

2. I make this affidavit from personal knowledge based on my participation in this investigation, my review of reports and other materials prepared by those who have personal knowledge of the events and circumstances described herein, and information gained through my training and experience. The information outlined below is provided for the limited purpose of establishing probable cause and does not contain all details or all facts of which I am aware relating to this investigation.

3. Based on the information below, there is probable cause that on July

10, 2019, in the Eastern District of Michigan, Darel T. King violated 18 U.S.C. § 1951 by robbing a man of marijuana, money, and cocaine¹; and King violated 18 U.S.C. § 924(j) by using a firearm during and in relation to the robbery, and by using the firearm to murder the man he had robbed.

4. On July 10, 2019, at approximately 1:15 a.m., law enforcement officers responded to the scene of a homicide at a home on Kent Street in Flint, Michigan. Upon arrival, officers discovered a man, identified here as Victim-1, deceased on the floor from multiple gunshot wounds. There was also a woman, identified here as Victim-2, inside the house. Victim-2 had also been shot once in the foot and once in the buttocks. Victim-2 was taken to a hospital and survived the gunshots and her injuries.

5. Detectives interviewed Victim-2. She said that on the night of the shooting three men entered the home and were speaking with Victim-1 when one of the men placed a firearm to her head and told her to sit on the couch. Victim-2 heard the man with the gun ask Victim-1, “Where is the money?” Victim-2 explained that she was holding Victim-1’s nine-year-old son, while the men robbed Victim-1 of money and a large quantity of marijuana. As the robbers left, Victim-2 used her body

¹ The theft of drugs and drug proceeds, even if it only affects the *intrastate* sale of marijuana, satisfies the commerce element for the Hobbs Act, 18 U.S.C. § 1951. *Taylor v. United States*, 579 U.S. 301, 303 (2016) (emphasis added).

to shield the nine-year-old as the man with the gun fired shots at Victim-1 and toward her. Victim-2 heard multiple gunshots and felt some pain. The three men then fled from the house to a vehicle and left. Victim-2 said she had seen one of the robbers before and believed he was an associate of Victim-1. Victim-1's nine-year-old son stated that he thought one of the robbers had previously bought marijuana from his father.

6. Law enforcement officers who responded to the homicide collected ammunition, including twelve spent cartridge casings and bullet fragments, from inside the Kent Street home. The fired ammunition was sent to the Michigan State Police crime lab. The crime lab examined the twelve spent shell casings and determined they were all fired from one 9mm firearm.

7. On July 17, 2019, Victim-2 met with a Michigan State Police forensic artist and prepared a composite sketch of the shooting suspect.

8. On July 26, 2019, another ATF agent and I interviewed an informant, identified here as Person-1, who was providing information in an effort to reduce sentencing exposure on a pending charge. Person-1 stated that he had been recently driving in a vehicle with a man he identified as "Jaffe." The two of them drove past the house on Kent Street and Jaffe told Person-1 that it would be a good spot to "hit a lick." (From my training and experience, I know "hit a lick" is street slang for

committing an armed robbery.) Person-1 told me that a few days after that he contacted “Jaffe” by calling telephone number (████) █████-7589 and had a phone conversation with “Jaffe” in which “Jaffe” stated he had robbed the home on Kent Street that they had previously spoken about.

9. Based on the information provided by Person-1, I spoke with the detectives investigating the homicide on Kent Street. The detectives provided me with the composite sketch completed by the Michigan State Police artist at the direction of Victim-2. I showed Person-1 the composite sketch and Person-1 identified the man as “Jaffe.” Person-1 explained that he did not know the actual identity of “Jaffe,” but just knew his nickname. Person-1 is now deceased.

10. Investigators obtained records related to the phone number (████) █████-7589, which Person-1 told me was “Jaffe’s” phone number. The records indicated that the subscriber of the phone was a person who I have identified here as Person-2. Investigators interviewed Person-2, who stated that the phone was used by Darel King and that King’s nickname is “Jaffe.” During my investigation, other law enforcement and I have also spoken with other people who have stated that King uses the nickname “Joffy” or “Jaffe.”

11. In February 2020, investigators showed a photo lineup featuring King and other individuals to Victim-2. Victim-2 reviewed the lineup and picked King out stating, "That is the man who shot me."

12. As part of my investigation, I learned that on July 11, 2019, an anonymous source submitted a tip to law enforcement about the robbery and murder. The tip provided a narrative and a video clip from a recorded PlayStation video basketball game. The following is an extract from the narrative.

- "I was on the Playstation 4 playing with the 41 year old man that dies at the scene in the [REDACTED] block of Kent Street near Seymour Avenue...he was playing the game with several people in a party chat on the game system. I have a short clip that proves that I just want justice to be served...His gamer tag is [REDACTED]...We heard all the arguments, and further gun shots. I hope this video helps. The conflict starts at the 25-second mark."

13. I reviewed the PlayStation video which had captured audio of the armed robbery and murder. At approximately 00:25 into the PlayStation video, I heard a male voice saying, "Don't move. Talk quick. Where is the money at? You got thirty seconds bro. I have been sitting outside your house since earlier, man. Where the fucking money at? You got thirty seconds. Think I'm playing? If I don't find no

money in twenty seconds bro, if I don't find no fucking bows and no money in twenty second bro, I'm sorry...." (Based on my training and experience I am aware that the term "bows" refers to a pound package of marijuana.) During the PlayStation video, I could hear another male voice counting down from thirty during the above-quoted conversation.

14. At approximately 2:26 into the PlayStation video, I heard the first of twelve gunshots. The twelve gunshots are consistent with the twelve spent 9mm cartridge casings that police found when they responded to the house on Kent Street.

15. After receiving the PlayStation video, I contacted Victim-2. Victim-2 stated that Victim-1 was playing on his PlayStation in his bedroom prior to the incident. I played a portion of the audio to Victim-2. Victim-2 told me the audio was exactly how the robbery and shooting occurred. In a later discussion, Victim-2 also stated that the male voice was that of the man who had the gun and who shot her and Victim-1. Victim-2 also stated that besides marijuana, Victim-1 sold cocaine base and powder cocaine from his home, and that the robbers took approximately $\frac{1}{3}$ of a kilogram of powder cocaine and took cocaine base from Victim-1.

16. An ATF Task Force Officer and I also contacted Person-2. I played the audio from the PlayStation video for Person-2 from 00:25 to 00:45, which contains a portion of the dialogue referenced in paragraph 13. Person-2 identified the male

voice as that of Darel King. I asked Person-2 from 0% to 100% how sure Person-2 was about it being Darel King. Person-2 answered, "That's him...100%."

17. I also reviewed records Sony Interactive pertaining to Sony PlayStation handles depicted on the PlayStation video clip. Based on the records, I was able to identify two men, who I refer to here as Person-3 and Person-4. The handles indicated that somebody using Person-3 and Person-4's PlayStation accounts were playing the basketball game depicted in the PlayStation video.

18. I contacted Person-3 by phone and asked him about the incident. Person-3 confirmed his PlayStation handle and stated that he remembered hearing what he believed to be an armed robbery and shooting while playing PlayStation Live in July of 2019. I re-connected with Person-3 via Facetime and played the PlayStation video for him. Person-3 agreed that he remembered the incident just as he saw it from the video.

19. I also contacted Person-4 and asked him about the incident. Person-4 confirmed his PlayStation handle and stated that he was present on PlayStation Live during the incident. I called Person-4 via Facetime so he could observe the PlayStation video and hear the audio recording of the robbery and murder. After watching the video, Person-4 advised that the video was exactly how it happened on the night of the incident.

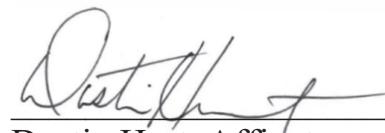
20. In October 2020, King was arrested on a state arrest warrant for charges related to the July 10, 2019 murder. After a court hearing in May 2021, the case was dismissed. During the hearing the state prosecutor indicated that the state intended to re-issue the case immediately. Later on the same day as the hearing, King was released from custody. In between the time of the hearing and his release, King made a phone call and stated that if he was released, "I am running from this motherfucker." King was later arrested in October of 2021 in Nevada on federal charges for another matter.

21. As part of the investigation, law enforcement conducted an interview with a person identified here as Person-5. Person-5 provided information to law enforcement with the intent to reduce their potential sentence for pending criminal charges. Person-5 provided me and other members of law enforcement with truthful information, that we have been able to verify. Person-5 has never provided me with false information, and I am not aware of Person-5 providing false information to other law enforcement. I believe the following information from Person-5 is credible. Person-5 advised they had numerous conversations with Darel King while incarcerated together and was familiar with King's voice. Person-5 listened to the excerpt of the PlayStation video in paragraph 13, and recognized King's voice.

22. I also spoke with a person identified here as Person-6. Person-6

provided information to law enforcement with the intent to reduce their potential sentence for pending criminal charges. Person-6 explained that they were familiar with King's voice. I was able to verify that Person-6 was familiar with King. Person-6 listened to the PlayStation video and identified King as the speaker of the words in paragraph 13.

23. Based on the foregoing, there is probable cause that on July 10, 2019, in the Eastern District of Michigan, Darel King, knowingly and unlawfully affected commerce by robbery in violation of 18 U.S.C. § 1951. There is also probable cause that on July 10, 2019, in the Eastern District of Michigan, Darel King knowingly used a firearm during and in relation to a crime of violence that may be prosecuted in a court of the United States, and King using the firearm to commit murder, all in violation of 18 U.S.C. § 924(j).



Dustin Hurt, Affiant
Special Agent
Bureau of Alcohol, Tobacco, Firearms & Explosives

Sworn to before me and signed in my presence and/or by reliable electronic means on this 23rd day of March, 2023.



Hon. Curtis Ivy, Jr.
United States Magistrate Judge